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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES**

IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Consumer Loan Act of Washington by:

OCEAN WEST ENTERPRISES, INC., d/b/a
OCEAN WEST FUNDING, and MARSHALL
STEWART, President and Owner, and DARYL
MEDDINGS, Executive Vice President and Owner,

Respondents.

NO. C-05-175-06-CO01

CONSENT ORDER
BETWEEN THE DEPARTMENT
AND MARSHALL STEWART

COMES NOW the Director of the Department of Financial Institutions (Director), through his designee
Chuck Cross, Division Director, Division of Consumer Services, and Marshall Stewart (Respondent Stewart), and
finding that the issues raised in the above captioned matter may be economically and efficiently settled, agree to
the entry of this Consent Order. This Consent Order is entered pursuant to chapter 31.04 of the Revised Code of
Washington (RCW) and RCW 34.05.060 of the Administrative Procedure Act based on the following:

AGREEMENT AND ORDER

The Department of Financial Institutions, Division of Consumer Services (Department), and Respondent
Stewart have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-05-175-06-
SC01 (Statement of Charges), entered February 6, 2006 (copy attached hereto). Pursuant to chapter 31.04 RCW,
the Consumer Loan Act (Act), and RCW 34.05.060 of the Administrative Procedure Act, Respondent Stewart
hereby agrees to the Department's entry of this Consent Order and further agrees that the issues raised in the
above captioned matter may be economically and efficiently settled by entry of this Consent Order. The parties
intend this Consent Order to fully resolve the Statement of Charges.

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CONSENT ORDER
BETWEEN THE DEPARTMENT
AND MARSHALL STEWART
C-05-175-06-CO01

1 Based upon the foregoing:

2 **A. Jurisdiction.** It is AGREED that the Department has jurisdiction over the subject matter of the
3 activities discussed herein.

4 **B. Waiver of Hearing.** It is AGREED that Respondent Stewart has been informed of the right to a
5 hearing before an administrative law judge, and that he has waived his right to a hearing and any and all
6 administrative and judicial review of the issues raised in this matter, or of the resolution reached herein.
7 Accordingly, Respondent Stewart agrees to withdraw his appeal and to inform the Office of Administrative
8 Hearings in writing of his withdrawal.

9 **C. Ownership.** Respondent Stewart represents that he has not had any ownership interest in Respondent
10 Ocean West Enterprises, Inc. d/b/a Ocean West Funding (Ocean West) since 2004, when he sold the entirety of
11 his interest to Consumer Direct of America (CDA). Respondent Stewart further represents that following the
12 sale of his interest he renewed his employment agreement with Ocean West to continue in his position as
13 President. Respondent Stewart further represents that he had terminated his employment relationship with
14 Ocean West prior to the cancellation of Ocean West's surety bond.

15 **D. Declaration.** It is AGREED that Respondent Stewart provided the Department with a signed
16 declaration stating that has not been an owner of Ocean West since 2004. It is further AGREED that a true and
17 correct copy of the same declaration is attached hereto and incorporated by this reference as though fully set forth
18 herein.

19 **E. Consent to Be Bound By Order.** It is AGREED that the parties shall be bound by the terms and
20 conditions of this Consent Order as set forth herein.

21 **F. Authority of the Department.** It is AGREED that nothing in this Consent Order shall be construed
22 as preventing the Department from fully exercising its authority and enforcing any provision of Title 31 Revised
23 Code of Washington and Title 208 of the Washington Administrative Code.

1 **G. Authority to Execute Order.** It is AGREED that the undersigned have represented and warranted
2 that they have the full power and right to execute this Consent Order.

3 **H. Non-Compliance with Order.** It is AGREED that Respondent Stewart understands that failure to
4 abide by the terms and conditions of this Consent Order may result in further legal action by the Director. In
5 the event of such legal action, Respondent Stewart may be responsible to reimburse the Director for the cost
6 incurred in pursuing such action, including but not limited to, attorney fees.

7 **I. Participation in the Industry.** Respondent Stewart REPRESENTS that, as of the date of entry of
8 this Consent Order, he is not participating in the consumer loan or mortgage broker industry in Washington
9 requiring licensure.

10 **J. Full Compliance.** Respondent Stewart AGREES that, in the future, should he wish to participate in
11 the consumer loan or mortgage broker industry in Washington in any capacity requiring licensure, he shall fully
12 and completely comply with the Consumer Loan Act and the rules adopted thereunder, the Mortgage Broker
13 Practices Act and the rules adopted thereunder, and any and all other relevant statutes and regulations in place at
14 that time.

15 **K. Future Applications.** It is AGREED that the circumstances giving rise to the issuance of the above-
16 referenced Statement of Charges will not be considered by the Department in the assessment of any future
17 application for consumer loan or mortgage broker license in the State of Washington, in the event Respondent
18 Stewart wishes to pursue such application.

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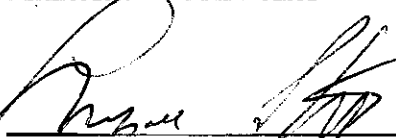
CONSENT ORDER
BETWEEN THE DEPARTMENT
AND MARSHALL STEWART
C-05-175-06-CO01

1 **L. Voluntarily Entered.** It is AGREED that the undersigned Respondent Stewart has voluntarily
2 entered into this Consent Order, which is effective when signed by the Director's designee.

3 **M. Completely Read, Understood, and Agreed.** It is AGREED that Respondent Stewart has read this
4 Consent Order in its entirety and fully understands and agrees to all of the same.

5 **RESPONDENT:**


6 **MARSHALL STEWART**

7 
8 _____
9 Marshall Stewart, Individually

10 DO NOT WRITE BELOW THIS LINE

11 THIS ORDER ENTERED THIS 16th DAY OF ^{November}~~OCTOBER~~, 2006.



13 
14 CHUCK CROSS
15 Director
16 Division of Consumer Services
17 Department of Financial Institutions
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STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CONSUMER SERVICES

IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Consumer Loan Act of Washington by:

OCEAN WEST ENTERPRISES, INC., d/b/a
OCEAN WEST FUNDING, and MARSHALL
STEWART, President and Owner, and DARYL
MEDDINGS, Executive Vice President and
Owner,

Respondents.

NO. C-05-175-06-CO01

DECLARATION OF
MARSHALL STEWART

I, Marshall Stewart, declare:

1. I am above the age of eighteen and based upon my personal knowledge am competent to testify to the facts as stated in this declaration.

2. I make this declaration in support of, and to justify the entry of, a Consent Order by the Department of Financial Institutions (Department) to resolve this matter.

3. I am a former owner and former President of Ocean West Enterprises, Inc., d/b/a Ocean West Funding (Ocean West). In 2004, I sold my entire ownership interest in Ocean West to Consumer Direct of America (CDA). At that time, I renewed my employment agreement with Ocean West to continue in my position as President of the business.

4. My employment with Ocean West ceased prior to June 22, 2005, the date when the Washington State Department of Financial Institutions (Department) received notice from Travelers Casualty and Surety Company of America that Ocean West's surety bond would be cancelled effective August 1, 2005.

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DECLARATION OF
MARSHALL STEWART

DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
PO Box 41200
Olympia WA 98504-1200
(360) 902-8703

1 I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and
2 correct and that I have read and understand all of the above.

3
4 DATED this 26 day of October, 2006, in Capitol Hill City, Co. State

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6 
7 Signature of Marshall Stewart

8
9 Marshall Stewart
10 Print Name

11 714-742-6789
12 Phone Number

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27 DECLARATION OF
MARSHALL STEWART

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DEPARTMENT OF FINANCIAL INSTITUTIONS
Division of Consumer Services
PO Box 41200
Olympia WA 98504-1200
(360) 902-8703